IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1495 OF 2005

Ratnamala Sudhakar Tayuade & Ors. ... Petitioners

V/s.

Heerabai Digambar Limgire ... Respondent

Mr.S.A. Sawant for Petitioners
Mr.S.S. Hardikar for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JULY 5, 2005**

P.C.:

. The Petitioners have challenged the concurrent findings of facts of the Courts below that the respondent-landlord is entitled to the suit premises as he bonafide requires the premises. The suit filed by the respondent-landlord under section 13(1)(g) has been decreed in his favour. Both the Courts below have found that the landlord is in possession of only an area admeasuring 13'X12'. The Courts below have also found that the hardship will be caused to the landlord if decree of eviction was not passed. Taking into consideration all the necessary factors the suit has been decreed.

2. In such circumstances, I see no infirmity in the reasoning of both the Courts below. Petition is,

therefore, dismissed.

3. The decree dated 29.6.2004 shall not be executed till 31.5.2006 on condition that the Petitioners and all other adult members in the family file an undertaking in the usual terms in this Court within two weeks from today.